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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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DAVID KING, JR.,

Plaintiff,

*versus*

UNKNOWN DEFENDANTS,

Defendants.

CIVIL ACTION NO. 9:23-CV-74

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff David King, Jr., an inmate confined at the Wainwright Unit, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983. Plaintiff requested leave to proceed *in forma pauperis*.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying plaintiff's application to proceed *in forma pauperis*.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

The magistrate judge's recommendation was based on plaintiff's statement, made under the penalty of perjury, that he owns a United States bond valued at \$100,000,000.00 and he receives \$100.00 per month from friends and family. In his objections, plaintiff states the prison is not allowing him to receive promissory note paper. Plaintiff, however, remains responsible for making arrangements for paying the filing fee, not the court. Therefore, after careful

consideration of all the pleadings and the relevant case law, the court concludes that plaintiff's objections lack merit.

**O R D E R**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. It is

**ORDERED** that plaintiff's application to proceed *in forma pauperis* (#4) is **DENIED**.

Plaintiff shall pay the filing fee of \$405.00 within thirty (30) days from the date of this order. Plaintiff's failure to comply with this order may result in the dismissal of this lawsuit pursuant to Federal Rule of Civil Procedure 41(b).

SIGNED at Beaumont, Texas, this 30th day of May, 2024.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE